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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,816	12/02/2003	Peter Krause	22666	4113

535 7590 09/20/2005

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EXAMINER

BRITTAIN, JAMES R

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/726,816	Applicant(s) KRAUSE ET AL.	
	Examiner James R. Brittain	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 10-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Election/Restriction

Applicant's election without traverse of Group I in Paper No. 06212005 is acknowledged.

Claims 10-16 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim.

Election was made without traverse in Paper No. 06212005.

Specification Objections

The specification is objected to because of the following minor informalities: The term "the" (page 4, line 1) is misspelled; it would appear that the reference numeral "4" (page 7, line 8) should be --6--; and the limitation "each other" (claim 8, line 2) is missing letters. Correction is required.

Drawing Objections

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the pyramidal dimples (claim 4) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 7-9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Beach et al. (US 5117536) in view of Partridge (US 3188706).

Beach et al. (figures 1-17) teaches a strapping connection for a pair of longitudinally extending and transversely overlapping strap ends, the connection comprising a pair of longitudinally extending and interengaging hook formations formed as transversely pushed out regions of the strap ends and permitting limited movement of the strap ends in one longitudinal direction, and transversely interengaging lock formations 80, 94 fitting transversely together, prohibiting relative longitudinal movement of the strap ends, and formed in the pair of hook formations. The lock formations 80, 94 are dimple formed between the widely spaced cuts as shown in figures 10-12. The difference is that the lock formations do not fit snugly together. However, Partridge (figures 1-5) teaches a strapping connection for a pair of longitudinally extending and transversely overlapping strap ends, the connection comprising a pair of longitudinally extending and enter engaging hook formations formed as transversely pushed out regions of the strap ends and permitting limited longitudinal movement of the strap ends, and transversely interengaging lock formations 21, 22 fitting transversely snugly together, prohibiting relative longitudinal movement of the strap ends. Partridge further details that the locking dimples 21, 22 are deeply nested, the shape is not particularly important, and that they may be disposed in other locations (col. 3, lines 19-46). As it would be beneficial to improve the locking engagement of the strap ends of the device of Beach et al., it would have been obvious to modify the strap connection of Beach et al. so that the locking dimples are deeply nested and snugly fit together as taught by Partridge so as to prohibit relative longitudinal movement of the

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strap ends. In regard to claims 4 and 5, Partridge suggests the use of dimples 21, 22 that are shown in the figures to be conical. Further Partridge suggests that the shape of the dimples is not important as indicated in column 3, lines 25-26. Therefore the use of a pyramidal shape would have been obvious as an equivalent to the structure shown by Partridge. In regard to claim 9, Partridge suggests having the lock formation dimples 21, 22 projected transversely by a distance equal at least to a thickness of the strap ends, therefore suggesting modification of the structure of Beach et al. so that the dimples projected by a distance equal at least to a thickness of the strap ends so as to further prohibit movement of the strap ends.

Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Beach et al. (US 5117536) in view of Partridge (US 3188706) as applied to claim 1 above, and further in view of Holmes (US 1178398).

Further modification of the strap connection of Beach et al. so that the lock formations pierced completely through one of the strap ends would have been obvious in view of Holmes (figures 1-6) in which a band connection is formed including hook formations 10, 11 in the band ends to resist the tendency of the ends to pull apart and the lock formations 3, 4, 5 that pierced completely through the strap ends so as to prohibit longitudinal movement of the strap ends.

Conclusion

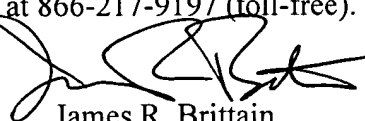
The patents of Palau Dominguez (US 5740589, figures 1-4), Watanabe et al. (US 4980953, figures 1-9), Kimball et al. (US 1393791, figures 1-7), Leslie (US 2276988, figures 1-5), Kress et al. (US 3934918, figures 3, 4) and Hamlin (US 119844, figures 1-3) teach pertinent strap connection structure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Brittain whose telephone number is (571) 272-7065. The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James R. Brittain
Primary Examiner
Art Unit 3677

JRB